

Case 21374YP

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### REMARKS

The Official Action of January 23, 2009 and the art cited therein have been carefully considered. The remarks herein are considered to be responsive thereto.

The only remaining issue in the instant case is the Obviousness type double patenting rejection over pending application USSN 10/551,709. The Examiner states that rejection over USSN 10/551,709 cannot be removed a terminal disclaimer. Applicants herein submit the terminal disclaimer.

Respectfully submitted,

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